

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 3:20-cr-82-3

vs.

NOAH ALEXANDER SHERRILL,

District Judge Michael J. Newman
Magistrate Judge Sharon L. Ovington

Defendant.

ORDER: (1) GRANTING DEFENDANT'S MOTION TO MODIFY THE REPORT AND RECOMMENDATION THAT THIS COURT ACCEPT HIS GUILTY PLEA (DOC. NO. 184); (2) ACCEPTING THE REPORT AND RECOMMENDATION IN PART; AND (3) MODIFYING THE REPORT AND RECOMMENDATION IN PART

This criminal case is before the Court on Defendant's motion to modify the Report and Recommendation that this Court accept his guilty plea. Doc. No. 184. The Report and Recommendation, and subsequent Court Order adopting the Report and Recommendation, states that Defendant plead guilty to one count of conspiracy to possess with intent to distribute fentanyl in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C) and 846. Doc. Nos. 150, 153. This was incorrect. On September 21, 2021, Defendant plead guilty to one count of conspiring to conduct concealment money laundering in violation of 18 U.S.C. §§ 1956(h) and 1956(a)(1)(B)(i) pursuant to the superseding indictment filed on September 20, 2021. Doc. Nos. 145, 146, 148.

Construing Defendant's motion as one for reconsideration of the Court's Order adopting the Report and Recommendation, the Court **GRANTS** the motion and hereby:

- (1) **ADOPTS** the Report and Recommendation **IN PART**;

- (2) **ACCEPTS** Defendant's plea of guilty to the September 20, 2021 superseding indictment charging him with one count of conspiring to conduct concealment money laundering in violation of 18 U.S.C. §§ 1956(h) and 1956(a)(1)(B)(i); and
- (3) Defers the decision of whether to accept the plea agreement until the sentencing hearing on **March 3, 2022 at 11:00 AM.**

IT IS SO ORDERED.

Date: February 4, 2022

s/ Michael J. Newman

Hon. Michael J. Newman
United States District Judge